

## DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER  
COMMISSIONER REDFORD  
COMMISSIONER SMITH  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL**

**FROM: NEIL PRICE  
DEPUTY ATTORNEY GENERAL**

**DATE: SEPTEMBER 6, 2013**

**SUBJECT: APPLICATION OF TERRACOM INC. FOR DESIGNATION AS AN  
ELIGIBLE TELECOMMUNICATIONS CARRIER, CASE NO. TRA-T-13-  
01**

On May 8, 2013, TerraCom, Inc. (“TerraCom” or “Company”) filed an Application, including exhibits, pursuant to 47 U.S.C. § 214(e), 47 C.F.R. § 54.101 *et seq.*, and Order No. 29841, seeking designation as an eligible telecommunications carrier (“ETC”) in the State of Idaho for the purpose of receiving federal universal service support for wireless services that will be offered to customers on a prepaid basis.

On July 19, 2013, Commission Staff (“Staff”) submitted a host of production requests to TerraCom in order to obtain additional relevant information regarding the Company’s Application. The Company responded on August 9, 2013.

### THE APPLICATION

TerraCom is an Oklahoma corporation with its principal offices located in Oklahoma City, Oklahoma. *See* Exhibit B. TerraCom is authorized to transact business in Idaho. *See* Exhibit C. TerraCom has been an ETC since 2004. TerraCom is currently a wireline ETC in Oklahoma and Texas, as well as a wireless ETC in Maryland, Arkansas, Oklahoma, Texas, West Virginia, Nevada, Indiana, Arizona, Puerto Rico, the Virgin Islands, Colorado, Iowa, Louisiana, Minnesota, Wisconsin and Nebraska.

TerraCom requests that the Commission designate the Company as an ETC throughout its requested service area. *See* Exhibit A for list of Idaho Wire Centers. TerraCom seeks ETC status on a wireless basis beginning as soon as possible upon approval by the

Commission. TerraCom is not seeking ETC designation on a wireline basis. TerraCom will provide services supported by, and participating in the low-income programs of, the Universal Service Fund. TerraCom will not be participating in any high-cost programs of the Universal Service fund.

TerraCom's services include the provision of wireless services through a combination of its own facilities and resold services. The Company will offer a selection of Lifeline plans with a range of voice/text/data options for both tribal and non-tribal customers. TerraCom obtains services through its contracts with two commercial mobile radio service ("CMRS") providers, Sprint Spectrum, LLC and Cellco Partnership dba Verizon Wireless.

TerraCom states that it will provide each eligible wireless customer a new or refurbished basic voice, texting and E911 compatible handset, subject to one-year replacement warranty, at no cost to the subscriber or allow the customer the option of purchasing an E911 compatible higher end model.

In order to meet the FCC's facilities requirement, TerraCom states that it filed its Second Revised Compliance Plan. *See* Exhibit D. The Company's grant of compliance from the FCC is also attached to the Application. *See* Exhibit E.

TerraCom states that it has enacted systems and procedures to ensure that the Company or its affiliate, YourTel America, Inc., will not enroll a customer already receiving Lifeline service from the other.

#### **COMMISSION DECISION**

Does the Commission wish to process TerraCom's Application for designation as an ETC through Modified Procedure with a corresponding 21-day comment period?



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Neil Price  
Deputy Attorney General

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